

IN THE DRAWINGS:

Attached is a Submission of Replacement Drawing Sheets including a change to Fig. 32. These Replacement Drawing Sheets, which include all of Figs. 1-32 in this application, replace the previously-filed drawing sheets. In these Replacement Drawing Sheets, Fig. 32 has been amended to include the legend "PRIOR ART in response to the Examiner's requirement at page 2, section 1 of the Office Action.

REMARKS**Summary of the Office Action**

The drawings stand objected to because Figure 32 allegedly should be designated by a legend such as "Prior Art".

Claims 1 and 8 stand objected to for alleged informalities.

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the Applicant's Admitted Prior Art (AAPA) in view of Ootera (U.S. Patent Application Publication No. 2005/0265217 A1) (hereinafter "Ootera").

Claims 6-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the Applicant's Admitted Prior Art (AAPA) in view of Ootera and further in view of Shibayama (U.S. Patent Application Publication No. 2003/0218120) (hereinafter "Shibayama").

Summary of the Response to the Office Action

Applicant has amended claims 1 and 8 to improve the form of the claims. Accordingly, claims 1-8 remain currently pending for consideration. Also, a Submission of Replacement Drawing Sheets is concurrently filed incorporating an amendment to Fig. 32.

Objection to the Drawings

The drawings are objected to because figure 32 allegedly should be designated by a legend such as "Prior Art". In the Submission of Replacement Drawing Sheets filed concurrently herewith, Applicant has amended the drawings by labeling Fig. 32 as "Prior Art" in response to the drawing objection in response to the Examiner's requirement at page 2, section 1

of the Office Action. Accordingly, Applicant respectfully requests that the objections to the drawings be withdrawn.

Objections to Claims 1 and 8 for Informalities

Claims 1 and 8 stand objected to for alleged informalities. Claims 1 and 8 have been newly-amended to improve the form of the claims in response to the Examiner's comments at page 2, section 2 of the Office Action. Accordingly, withdrawal of the objection to claims 1 and 8 is respectfully requested.

Rejections under 35 U.S.C. §§ 103(a)

Claims 1-5 stand rejected under 35 U.S.C. § 103(a), as allegedly being unpatentable over the Applicant's Admitted Prior Art (AAPA) in view of Ootera. Claims 6-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the AAPA in view of Ootera and further in view of Shibayama. Applicant respectfully submits that Ootera does not qualify as prior art against the instant application under 35 U.S.C. § 102(e) because it's U.S. filing date is May 27, 2005, which is after the international filing date of July 22, 2004 of the PCT international application on which the instant national stage U.S. patent application no. 10/565,945 is based. Also, Applicant notes that the applied secondary reference to Shibayama lists as an inventor the same individual as the instant application no. 10/565,945. Thus, this reference is not "by another" or "used by others" in accordance with provisions of 35 U.S.C. § 102. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested for at least the foregoing reasons. Applicant notes further, for the Examiner's general information, that Shibayama is assigned to the same company as the instant application no. 10/565,945.

CONCLUSION

In view of the foregoing, Applicant submits that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

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By:



Paul A. Fournier

Reg. No. 41,023

Customer No. 055694

DRINKER BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100

Washington, DC 20005-1209

Tel.: (202) 842-8800

Fax: (202) 842-8465